

# SIEMENS

PATENT  
Attorney Docket No. 2003P00694WOUS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor:	S. Hoffmann	)	Group Art Unit:	3741
		)		
Serial No.:	10/561,641	)	Examiner:	P. Wongwian
		)		
Filed:	December 20, 2005	)	Conf. No.:	6107
Title	<b>OPEN COOLED COMPONENT FOR A GAS TURBINE, COMBUSTION CHAMBER, AND GAS TURBINE</b>			

**Commissioner For Patents**  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

### RESPONSE TO RESTRICTION REQUIREMENT

As set forth the Office Action mailed November 26, 2008, the Examiner asserts that the claims include the following distinct species which "lack unity of invention":

- Species I - Figure 1-3 (claims 11-16) and 19, and
- Species II - Figure 4-5 (claim 18).

The Examiner has also indicated that claim 18 is generic which appears inconsistent with the indication of the Species.

Applicant elects species I with traverse. Applicant respectfully submits that both the open-cooled blade and the combustion chamber have the same inventive concept regardless of being applied to a different device. Applicant urges the Examiner to **carefully reconsider** the patentable distinctness determinations made as set forth in MPEP 806.04(h) and 808.01(a) in regards to the impact on prior art references in future divisional applications.

Serial No. 10/561,641

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Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: Dec. 18, 2008

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